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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/001,687 | 10/23/2001 | Dennis Bushmitch | 9432-000140 | 3170 |

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EXAMINER

ABRISHAMKAR, KAVEH

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2131

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,687

Applicant(s)

BUSHMITCH ET AL.

Examiner

Kaveh Abrishamkar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 17-23 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/21/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the communication filed on October 23, 2001. Claims 1 – 23 were originally received for consideration. Per the telephone conversation with Timothy Macintyre, claims 1-16 were elected for further consideration. Claims 1 – 16 are currently being considered.

Election/Restrictions

2. Claims 17-23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention there being no allowable generic or linking claim. An election of the remaining claims was made per a telephone conversation by Timothy Macintyre on June 20, 2005.

Information Disclosure Statement

3. An initialed and dated copy of Applicant's IDS form 1449, received on June 21, 2004, is attached to this Office action.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. The claimed invention is directed to non-statutory subject matter. Claim 16 is non-statutory for at least the reason that it delineates a carrier wave representing passwords and key values, and is not a tangible embodiment of a computer-readable medium. Furthermore, the index values and the key values are data representations without any defined function.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Baize (U.S. Patent No. 6,317,838).

Regarding claim 1, Baize discloses:

A security system for controlling access to a trusted computer network by a client computer, comprising:

a bastion host that controls access to said trusted computer network (Figure 1 item 5, column 6 lines 3-9);

a first data store associated with said bastion host and configured to store a set of key-password pairs (column 5 lines 27-33);

a portable storage device (column 7 lines 45-61);

a second data store associated with said portable storage device and configured to store passwords represented in said key-password pairs (column 7 lines 45-61);

a user operable initialization mechanism that interfaces with said first and second data stores, said initialization mechanism generating and storing said key-password pairs in said first data store and generating and storing said passwords in said second data store (column 7 line 45 – column 8 line 8);

an authentication mechanism having a first component associated with said bastion host and having a second component associated with said client computer;

said first component being configured to communicate a key associated with one of said key-password pairs to said second component (column 8 lines 1-16);

said second component being configured to access said second data store and retrieve at least one password represented in said key-password pair (column 7 line 63-column 8 line 16);

said second component being further configured to communicate said at least one password to said first component based on input from the user and based on said key communicated from said first component (column 7 line 62 – column 8 line 16).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

The system of claim 1 wherein said portable storage device is a non-volatile memory device (column 7 lines 52-67).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

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The system of claim 1 wherein said portable storage device is an optical disk (column 7 lines 52-67).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

The system of claim 1 further comprising screening router system that blocks interaction with said trusted computer network (Figure 1 item 5, column 6 lines 3-9).

Claim 7 is rejected as applied above in rejecting claim 6. Furthermore, Baize discloses:

The system of claim 6 further comprising proxy system that integrates with said screening router to permit interaction with said trusted computer network under control of said authentication mechanism (column 6 lines 33-48).

Claim 8 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

The system of claim 1 further comprising session management system that restricts interaction with said trusted computer network to an authenticated active session (column 7 lines 1-14).

Claim 9 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

The system of claim 1 further comprising session management system that restricts interaction with said trusted computer network to predetermined time duration (column 7 line 63 – column 8 line 8).

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Claim 10 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

The system of claim 1 further comprising a plug-in module stored on said portable storage device and accessible to said client computer to provide said client computer with instructions in implementing said second component of said authentication mechanism (column 7 line 62 – column 8 line 16).

Regarding claim 11, Baize discloses:

A method of authenticating interaction with a trusted computer network located behind a bastion host, comprising:

defining a secure database protected by said bastion host (column 5 lines 27-33);

providing a portable storage device (column 7 lines 45-61);

providing a user-operable recording mechanism protected by said bastion host by which said user stores first information in said secure database and second information in said portable storage device (column 7 line 45 – column 8 line 8);

said first and second information representing components of an encryption key system from which at least one password is generated (column 7 line 45 – column 8 line 8);

installing said portable storage device at a client computer and establishing communication between said bastion host and said client computer (column 7 lines 45-62);

using said first and second information at said client computer to generate said password and communicating said password to said bastion host (column 7 line 45 – column 8 line 8);

evaluating said password at said bastion host and effecting authentication based on correspondence of said password to information stored in said secure database (column 7 line 45 – column 8 line 16).

Claim 12 is rejected as applied above in rejecting claim 11. Furthermore, Baize discloses:

The method of claim 11 further comprising providing said portable storage device with a protected area and storing at least a portion of said second information within said protected area (column 7 lines 45-62).

Claim 13 is rejected as applied above in rejecting claim 11. Furthermore, Baize discloses:

The method of claim 11 wherein said user step of storing second information includes supplying a secret PIN number and subsequently using said PIN number in generating said password (column 7 lines 45-62).

Claim 14 is rejected as applied above in rejecting claim 11. Furthermore, Baize discloses:

The method of claim 11 comprising providing said portable storage device with a protected area and storing a secret session key within said protected area, said session key being used to encrypt a user-supplied PIN number prior to use.

Claim 15 is rejected as applied above in rejecting claim 11. Furthermore, Baize discloses:

The method of claim 11 further comprising establishing an active session after said step of effecting authentication, and limiting said active session to a predetermined time duration (column 7 lines 1-14, column 7 line 63 – column 8 line 8).

Regarding claim 16, Baize discloses:

A computer network authentication signal embodied in a carrier wave, comprising:

an index value representing one of a plurality of one-time passwords (column 7 line 45 – column 8 line 16);

a key value associated with said index value and corresponding to said one of said plurality of one-time passwords (column 7 line 45 – column 8 line 16).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baize (U.S. Patent No. 6,317,838).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

The system of claim 1. Baize does not explicitly disclose that the passwords are encrypted and stored. Baize discloses that the password are kept in a security server, but does not explicitly say that the passwords are encrypted. However, it is well-known in the art to encrypt data (passwords) to prohibit a third party from stealing the data (password). The security server could keep the passwords in an encrypted form to secure the passwords, and then can decrypt them when the password is communicated to another component so that the data is only in a decrypted form when it is being communicated and not when it is inactive in storage. Therefore it would have been obvious to modify the security system of Baize to include an encryption and decryption component so that the passwords would be secure when they are not being communicated to increase the security of the network

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Baize discloses:

The system of claim 1. Baize does not explicitly disclose that the passwords are encrypted and stored, and then decrypted before they are transmitted to the first component. Baize discloses that the password are kept in a security server, but does not explicitly say that the passwords are encrypted. However, it is well-known in the art

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to encrypt data (passwords) to prohibit a third party from stealing the data (password).

The security server could keep the passwords in an encrypted form to secure the passwords, and then can decrypt them when the password is communicated to another component so that the data is only in a decrypted form when it is being communicated and not when it is inactive in storage. Therefore it would have been obvious to modify the security system of Baize to include an encryption and decryption component so that the passwords would be secure when they are not being communicated to increase the security of the network

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA
06/21/05


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